

REMARKS

The Office Action mailed June 26, 2008 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Rejection(s) Under 35 U.S.C. §102

Claims 1, 2, 4, 8, 9, 11, 29 and 30 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Olson (U.S. pat. no. 7,171,191). Independent claims 1, 8, 17, 29 and 30 have been amended to more clearly distinguish over the cited reference. Reconsideration is respectfully requested.

In particular, the claims have been amended to recite in part providing a control signal to an actuator, the control signal being based at least in part on a haptic code and configured to cause the actuator to output a haptic effect associated with a haptic logo, wherein the haptic effect identifies *a calling or sending party*.

This arrangement stands in contrast to Olson. In Olson, messaging occurs between a group of portable devices such that a selected device receives from other ones of the devices notification of the arrival of messages at other devices. To take the case of a cellphone and a pager, for example, the cellphone might be notified that a page has been received by the pager. Olson teaches that such notification may be accompanied by a haptic effect *identifying the device* that has received a message. Olson does not in any way teach or suggest identifying a *calling or sending party*, as presently claimed. Hence, whereas in Olson, a user is alerted what other device to check, in the case of the present invention, because the user is alerted to the identity of the calling or sending party, the user may choose to take the call or message, ignore the call or message, etc. (See pages 19 and 20 of the present specification.)

Accordingly, claims 1, 8, 17, 29 and 30, together with their respective dependent claims, are believed to patentably define over the cited reference.

Rejection(s) Under 35 U.S.C. §103(a)

Various ones of the dependent claims were rejected as being unpatentable over Olson in view of various secondary references. In particular: claims 3 and 10 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Olson in view of Austin-Lane et al. (U.S. pub. no. 2004/0059790); claims 17-20 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Olson in view of Aaltonen et al. (U.S. pat. no. 6,885,876); claim 21 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Olson in view of Aaltonen as applied to claim 20 above and further in view of Austin-Lane et al.; and claims 22 and 23 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Olson in view of Aaltonen as applied to claim 17 and further in view of Wies et al. (W/O 02/03172).

Claims 3, 10, and 17-23 variously depend, directly or indirectly, from the base claims addressed above. The secondary references fail to remedy the above-mentioned shortcomings of Olson with respect to the base claims. Accordingly, these claims, which by definition include all the limitations of the base claims, are patentable over the combination of these references.

Conclusion

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
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